

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION


KEVIN REAVES,)	
)	
Plaintiff,)	
)	
v.)	No. 1:19-cv-00151-JPH-DLP
)	
WEXFORD MEDICAL SERVICES, <i>et al.</i>)	
)	
Defendants.)	

ORDER DENYING MOTION FOR PHYSICAL EXAMINATION

Plaintiff Kevin Reaves asks the Court to order a physical examination. Dkt. 35. He asserts that “the diagnosis report of IDOC and Wexford” would be biased against him. His motion does not identify the Court rule he invokes, but he is understood to be asking for a physical examination under Rule 35 of the Federal Rules of Civil Procedure. Rule 35(a) provides that the “court . . . may order a party whose mental or physical condition . . . is in controversy to submit to a physical or mental examination.” The Rule also requires, among other things, that the party’s physical condition be “in controversy” and that the order directing the examination be made only on a showing of “good cause” and after notice to all parties. The plaintiff has not shown that his physical condition is “in controversy” and he has not shown “good cause” for a physical examination. His speculation that any report by the IDOC or Wexford would be biased is insufficient. Accordingly, the motion for a physical examination, dkt. [35], is **DENIED**.

SO ORDERED.

Date: 12/9/2019


James Patrick Hanlon
United States District Judge
Southern District of Indiana

Distribution:

KEVIN REAVES

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PLAINFIELD - CF

PLAINFIELD CORRECTIONAL FACILITY

Electronic Service Participant – Court Only

All Electronically Registered Counsel